

Navigation Committee

Minutes of the meeting held on 06 June 2013

Present:

Mr D A Broad (Chair)

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|-----------------|----------------|-------------|
| Mr K Allen | Mr A Goodchild | Mr J Knight |
| Mr L Betts | Mr P Greasley | |
| Ms S Blane | Mrs L Hemsall | |
| Sir Peter Dixon | Mr M Heron | |

Also present:

Prof J A Burgess
Kevin Marsh (BESL)
Paul Mitchelmore (EA)

In Attendance:

Ms H Ayers – Administrative Officer
Mr S Birtles – Head of Safety Management
Mr A Clarke – Senior Waterways and Recreation Officer
Dr D Hoare – Environment and Design Supervisor
Mr J Organ – Head of Governance and Executive Assistant
Dr J Packman – Chief Executive
Mr R Rogers – Head of Construction and Maintenance
Mr A Vernon – Head of Ranger Services
Ms T Wakelin – Director of Operations

6/1 To receive apologies for absence

Apologies for absence were received from Mr P Durrant, Mr P Greasley, Mr P E Ollier and Mr M Whitaker.

The Chairman welcomed everyone to the meeting including Mrs Lana Hemsall who had recently been appointed to the Authority by Broadland District Council, and Professor Jacquie Burgess who was attending as an observer.

6/2 To note whether any items have been proposed as matters of urgent business

An item was proposed as a matter of urgent business regarding the Mutford Lock Harbour Revision Order. The chairman gained agreement for this item to be held after item 6/11.

6/3 To receive Declarations of Interest

Members expressed their declarations of interest as set out in Appendix 1 to these minutes.

6/4 Public Question Time

No public questions had been received.

6/5 To receive and confirm the minutes of the meeting held on 18 April 2013

The minutes of the meeting held on 18 April 2013 were approved as a correct record and signed by the Chairman subject to the replacement of the word “skin” to “ski” at the bottom of Page 9.

6/6 Summary of Progress/Actions Taken Following Decisions of Previous Meetings

The Committee received and noted a schedule of progress/actions taken following decisions of previous meetings..

6/7 Implications of Breydon Water Hydromorphic and Engineering Study

The Committee received a report which detailed high-quality data from JBA Consulting’s study of the localised, short-term impacts arising from the modelled management options of the historic training wall structures. All options had given consideration to the Water Framework Directive (WFD) and Habitats’ Directive’s stipulations. Assessment of the sediment dynamics in Breydon Water suggested that the site was relatively morphologically stable, and that the scale of suggested management options would not significantly impact future navigational management or the conservation status of the site (upon finalisation of appropriate tests against the Habitats’ Regulations). Members were invited to note the cost implications of the proactive management options for the channel training structures and the relative cost of the two navigation channel management options.

Specifically, the study reported on the future management of Turntide Jetty, the Dickey Works training structure, and the dredging required to maintain the channel at 2m recreational navigable depth and a 4m channel depth for commercial vessels. In addition, GPS data charting the position and width of the marked channel through Breydon Water indicated that the main channel was highly variable and could potentially be managed dynamically following channel realignment if safe and economical to do so.

Members agreed with the report’s findings that bed scour was dominant on the ebb tide and recommendations were made from members to place dredged material into the “holes” in the main channel. However, the Environment and Design Supervisor reported that this option had been considered but it was discounted as a viable long-term strategy, as evidence

indicated that silt placed here would be washed away to then build-up elsewhere.

Whilst the methodology used was considered a robust means for the modelling (in the short-term), some members expressed concern over the reliability of the report's findings for the longer-term understanding of the hydrodynamic and sediment transport processes (e.g. as a result of extreme weather conditions etc.) occurring within the estuary. In response to this, members were assured that the Authority recognised that the findings represented a snap-shot and would consider working with the Environment Agency to obtain historical data regarding flow from tidal gauges etc. in future.

A member concluded from the report that the entire indicative cost of these works would be in the region of £200,000, which was implied as being too costly. In response, the Director of Operations assured members that the structures and systems in question, had been systematically assessed (with the relevant bodies having been consulted) in order that the management of these aspects of Breydon Water could be incorporated into the Authority's strategic plans at an average forecast budget of £63,000 per annum. Those present were reminded that members were consulted on this at the last Navigation Committee on the 18 April 2013 where members considered this figure to be on the conservative side.

Three members felt they needed more time to consider this report's recommendations given the cost of the proposed works.

A member enquired whether a formal review of Breydon Water had been built-in to the management of this area to give the Authority a safety net should something adverse happen. The Chair acknowledged this as a good point however, stated that in this case, the proposed changes appeared evolutionary, rather than revolutionary. Further, the Director of Operations advised members that the Authority's Rangers conducted annual visual inspections of marker posts at Breydon Water and every 5 years a hydrological survey was conducted on the entire area which was reported back to the October Navigation Committee as part of the consultation on the draft Construction and Maintenance work programme for the following year.

Members were asked to consider the report's conclusions to favour the 2m (recreational) channel dredging programme over the 4m (commercial) programme. A member enquired whether the Authority received advance notice of use so that larger vessel movements can be planned. An officer confirmed that notice is usually received as most require escorting. Members agreed that the best way to keep Breydon Water channel in operation was to keep using it and that the area did not require a great deal of dredging to keep it navigable.

The Director of Operations confirmed that a 2m channel depth was sufficient for current use, but should a 4m depth be required (e.g. by British Sugar) then the disposal of dredged material out to sea should be effective and straightforward to achieve; it was the width of the channel that could cause

users issues. A member was concerned that if the channel was widened, it would weaken the strength of the flow which could result in an increase in the volume of silt deposited.

One member, considering the position of Breydon Water's channel, asserted that boats meander and hence channels can also and to create a straight channel would mean a loss of character. Another member, in a similar vein, stated that diverting nature costs money and did not see the benefit (unless big ships used the channel) of changing its position, but would like the channel by the Dickey Works and the old wrecks migrated towards Yarmouth. Another member stated that variable widths were acceptable, as long as these were reflected by the markers. Another member felt the marker post positions were already adequate in consideration of the cost of re-positioning to which the Director of Operations explained that some areas of the channel are currently narrower than the marker positions.

One member asked why posts were being replaced by wooden posts when the long-term strategy for markers in Breydon was for steel. The Director of Operations stated that the wooden stock is being used whilst investigations continue into the lifespan, design and durability of the metal post options. A member raised the possibility of square poles being more susceptible to ice damage and erosion than round ones.

Following discussion, members were in favour of retaining a half sized structure of the current Turntide Jetty which would be a beneficial long-term strategy to maintain low maintenance navigation channels at the confluence of the rivers Waveney and Yare. Members also agreed that the remains of the Dickey Works served no significant navigational benefits and that it could be left to degrade, rather than taking the proactive removal option. Members agreed that the channel's natural path was adequate for current usage and a recreational navigation depth of 2m should be targeted in view of financial and ecological costs of the commercial 4m option. Members agreed that the current channel width and position were adequate, however, members felt it was important that the marker posts reflected the true course of the channel accurately.

6/8 Ice Policy

Members received a report that set out the Authority's proposed policy relating to frozen water conditions on the rivers and Broads. The report outlined that in most years, ice forms on the Broads and rivers during significant cold weather and this presents not only a different hazard to users of the navigation but also an opportunity for different types of recreation such as ice skating and potentially ice yachting. The Safety Management System Hazard Review has highlighted ice as a hazard and the report set out the Authority's response to such conditions.

A member welcomed the policy and added that angling from fibreglass vessels in icy conditions was very hazardous and recommended that awareness of this be raised on relevant websites and in the press.

Another member asked officers what the general advice would be regarding icy conditions. An officer replied that the Authority cannot give specific safety advice as to do that would be to endorse such activities, but general advice such as that already provided in the winter boating leaflet and other publications.

One member said that if the Authority provided equipment that then failed to work properly, then the Authority would be to blame. In response to this the Chair stated that only basic equipment was supplied.

In summary, members accepted details of the policy and the responsibilities placed upon both the Authority and users as reasonable.

6/9 Construction and Maintenance Work Programme

Members received a report which set out the progress made on the delivery of the Construction and Maintenance Work Programme for 2012/13, including progress on the development of the Dockyard workshop and the Prisma land creation project at Salhouse (which is now complete). Members were provided with an updated on the volume of sediment removed from the rivers and broads up to the end of March 2013, this being 48,432m³ which represented 97% of the programmed target of 50,000m³.

The Committee noted the report and welcomed the progress being made.

6/10 Broadland Flood Alleviation Project: General Update

Members were provided with an update on the Broadland Flood Alleviation Project (BFAP) which is nearing the end of its construction phase. It was reported that BESL had completed the majority of the floodbank works in the project area and, apart from the piling removal, only Compartments 17, 19, 20, 28 (Phase 2) and 22 remained to have earthworks completed in them.

One member raised the issue of matting that had come away from the bank and had become caught in a hire craft's propeller. He went on further to question whether the specification was adequate for the matting if flood alleviation counter measures could not deal with a hire boat. The Senior Waterways and Recreation Officer acknowledged that this issue needed some further consideration around whether it should be removed and confirmed that the Environment Agency was not likely to apply for planning permission to deploy much more of this matting.

The committee noted the report.

6/11 Chief Executive's Report

Members received a report which summarised the current position in respect of a number of important projects and events, including decisions taken during the recent cycle of committee meetings.

A member queried the reasons for the Breydon Water ski zone designated area trial period (of a year) which would include additional recommendations from Natural England for the specific permit conditions. An officer explained that more time was needed to assess the impacts of water skiing which were now primarily around the visual impact of boats moving at speed. Another member commented that this activity could disturb feeding birds and the impact was less to do with speed than the zigzag path the skier would make.

Members discussed the proposed text service to inform boaters of accurate low water times to assist those wishing to cross Breydon Water. Members stated that messages needed to be simple and officers requested that members' help in promotion was key to its success. A member suggested using the free service, Twitter. However, another member reported that data/web reception, as opposed to SMS, is often much weaker (and hence less reliable) in the Broads area.

Officers stated they would present two options around SMS/texting at a future Navigation Committee meeting.

Following requests from several members, the Chair asked the Chief Executive for the reinstatement of the circulation of the weekly Broads Control report. The Chief Executive explained that key points were still made available to members in the monthly bulletin and that the Authority's previous Lead Member for Communications had provided the Chairman of the Navigation Committee with rationale as to why this approach was supported. This document could not be produced for the meeting but the Chairman would circulate it's relevant content to members. A number of members expressed the view that the explanation was inadequate and could see no reason why the weekly bulletins should not be circulated to members. The Chairman concluded that members had made their views clear that they wanted the circulation of the report reinstated.

6/11a Matter of Urgent Business – Mutford Lock

Members expressed concern that the report was brought to the Committee without any prior notice. It was explained that the Broads Act requires the Committee to be consulted before applying for a Harbour Revision Order. The Authority had recently (i.e. 04 June) received a draft copy of the order and were asked to consult for its submission. Given the previous lengthy delay in resolving the legal position, officers were keen to maintain the momentum which had previously been gained by the committee's Suffolk County Council member and therefore brought it to the meeting as an item of urgent business as opposed to waiting a further 3 months until the next Committee meeting.

Members were asked to comment on the detail of the order, particularly the plan as the principle of the transfer was previously determined by the Authority in 1994. The decision to transfer the ownership of Mutford Lock to the Broads Authority had been made many years ago and in recent reports to the Committee and the Asset Strategy reference had been made to the costs of maintenance. The transfer process of Mutford Lock from the ABP to the Broads Authority was now in its final stages after many years. It was noted that the ABP had granted the Authority £120,000 for the future maintenance of the lock. The legal transfer was still outstanding and the officers brought members' attention to this new area of responsibility as per the map tabled to members during the meeting. The Authority was required to consult the Navigation Committee prior to applying for Harbour Revision Orders, hence the need for this urgent item as this next part of the process was imminent.

The Director of Operations advised that there was some piecemeal construction within the lock's structure with masonry likely to require overhaul within 20 years and that a reserve of £500,000 to carry-out this work was considered prudent: it was noted that the current reserve provision stood at approximately £300,000. One member asked whether liability would increase whilst the transfer remained outstanding. Officers confirmed that the Authority's strategy was unchanged on this and that the transfer was supported by the Navigation Committee when it had been consulted. Members and officers discussed various aspects relating to the transfer around responsibilities, current state of repair, maintenance plans and costs, income, access, usage volumes, and queried the existence of legislation to prevent Suffolk County Council from preventing the lifting of the bridge in future. It was agreed that officers would investigate this point prior to the submission of the HRO application.

The Committee supported the content of the HRO.

6/12 Current Issues

A member brought the Committee's attention to a letter received from the Authority offering the free clearance of an invasive plant species from his property and was concerned that this would present a conflict of interest if taken up. Officers advised that the member had received a standard letter sent to all impacted residents and that no preferential or different treatment had been awarded as a result of this member's involvement with the Authority. The member was therefore, able to take-up the offer from the Authority to remove the invasive species without there being a conflict of interest.

Another member raised an issue of the removal of waste bins at Rockland and Geldeston. The Authority was aware that some local authorities were considering whether to charge for the waste as commercial waste, but representations were being made that the bins were being used by private boat owners as well as the hire fleet. One member suggested that the NSBA could argue for the council to pick-up this cost.

A member asked for a request for an update on the Deal Ground planning application and specifically the outcome of the recommendations that had been made by the Committee with respect to navigation. An update would be provided to members.

A member also asked what action was being taken to follow up on the approved recommendation from the Tolls Review 2012 that: "*A report on charges for rowing craft be prepared for a future Navigation Committee meeting*". The Chief Executive advised that work was yet to start on this work strand, but that it would be progressed in the near future.

6/13 Items for future discussion

None

6/14 To note the date of the next meeting

The next meeting of the Committee would therefore be held on Thursday 5 September at Yare House, 62-64 Thorpe Road, Norwich commencing **at 2.00pm.**

The meeting concluded 5pm

Chairman

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: Navigation Committee

Date of Meeting: 06 June 2013

| Name <i>Please Print</i> | Agenda/ Minute No(s) | Nature of Interest (Please describe the nature of the interest) |
|------------------------------------|-------------------------------------|--|
| Mr K Allen | 10 | Angling Trust, BASG Member |
| Mr D A Broad | 5/6- 5/15 | Toll Payer and member of Great Yarmouth Port Consultative Committee |
| Mr L Betts | | Toll Payer and Land Owner |
| Ms S Blane | General | Homeowner |
| Sir Peter Dixon | General | Toll Payer |
| Mr A Goodchild | 7 - 10 | Toll Payer, Chairman BMF CM |
| Mrs L Hemsall | - | (No relevant interests) |
| Mr M Heron | 7 - 11 | Toll Payer, Land Owner, Member of British Rowing, NRC, NSBA, NBYC, RCC and Chair of Whitlingham Boathouses |
| Mr J Knight | 7 - 10 | Toll Payer, Hire Boat Operator |